

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TYLOS JONES,)
Petitioner,)
v.) Case No. 2001-CV-385-JPG
EUGENE McADORY,)
Respondent.)

ORDER

This matter comes before the Court on Jones's request for a certificate of appealability (Doc. 37) which will be **DENIED** for the reasons stated on page 9 of the Court's April 15, 2005 Memorandum Opinion and Order denying Jones's petition for habeas corpus. By way of clarification, the Court further notes that Jones was incorrect to write that "[t]he District Court's decision relies upon the decision in *People v. Griffin*, 178 Ill.2d 65, 687 N.E.2d 820, 227 Ill. Dec. 338 (1997)." (Doc. 37 at 2B). Rather, a close reading of the April 15th Order reveals that the Court relied instead on the United States Supreme Court's decision in *United States v. Griffin*, 502 U.S. 46 (1991).

IT IS SO ORDERED.

Dated: May 24, 2005.

/s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. District Judge